

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

CHRISTOPHER R. VAUGHN

PETITIONER

v.

Case No. 6:18-cv-06037 RTD-BAB

WENDY KELLY, Director,
Arkansas Department of Correction

RESPONDENT

ORDER

Before the Court is the Report and Recommendation filed April 24, 2019, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 12.) Finding that Plaintiff's Petition was not timely filed, and that Plaintiff failed to show external circumstances justifying equitable tolling, Judge Bryant recommends that the Petition be denied and dismissed as time-barred. No party has filed objections to the Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1). Upon review, the Court adopts the Report and Recommendation *in toto*.

Accordingly, the Court makes its Order as follows: Plaintiff's Petition should be and hereby is **DENIED** and **DISMISSED WITH PREJUDICE**. It is further ordered that no Certificate of Appealability shall issue in this matter.

IT IS SO ORDERED, this 21st day of May 2019.

/s/Robert T. Dawson

ROBERT T. DAWSON
SENIOR U.S. DISTRICT JUDGE